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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Thomas Huenig

Serial No. : 10/049,464

Examiner: Ilia I. Ouspenski

Filed : June 18, 2002

Group Art Unit: 1644

Title : USE OF CD28 SPECIFIC MONOCLONAL ANTIBODIES FOR
PRODUCING A PHARMACEUTICAL COMPOSITION FOR
TREATING VIRUS INFECTIONS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop: Non-Fee Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated December 9, 2004, Applicants hereby elect with traverse Group II, Claims 12-15 drawn to a method for treating virus infections with a composition containing an anti-CD28 antibody and one or two reverse transcriptase inhibitors and one or two protease inhibitors. For the reverse transcriptase inhibitor, Applicants elect A) AZT, and for the protease inhibitor, H) RTV.

All the claims in the application involve related subject matter, e.g., anti-CD-28 antibody. A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

§Appl. No. 10/049,464
Amdt. dated January 6, 2005
Reply to Office Action of, December 9, 2004

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Attorney Docket No.: ALBRE-0023

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